

1 Honorable Thomas S. Zilly  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE WESTERN DISTRICT OF WASHINGTON  
10 AT SEATTLE

11 EQUAL EMPLOYMENT OPPORTUNITY )  
12 COMMISSION, ) No. CV6-1359Z  
13 v. Plaintiff, )  
14 LA MEXICANA, INC., ) [PROPOSED] ORDER GRANTING  
15 v. Defendant. ) DEFENDANTS' MOTION FOR  
16 LAURA CIGARROA, ) BIFURCATION AT TRIAL OF LIABILITY  
17 v. Plaintiff in Intervention, ) AND DAMAGES FROM INJUNCTIVE  
18 LA MEXICANA, INC.; ALBERT NEAL ) RELIEF  
19 WALDEN, individually and the marital )  
20 community thereof with JANE DOE )  
21 WALDEN, )  
22 v. Defendants in Intervention. )  
23 NEAL WALDEN, )  
24 v. Counterclaim Plaintiff, )  
25 LAURA CIGARROA, )  
26 v. Counterclaim Defendant. )  
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ORDER GRANTING DEFENDANTS' MOTION  
FOR BIFURCATION AT TRIAL OF LIABILITY  
& DAMAGES FROM INJUNCTIVE RELIEF- 1  
(CV6-1359Z)

Jackson Lewis LLP  
One Union Square  
600 University Street, Suite 2900  
Seattle, Washington 98101  
(206) 405-0404

THIS MATTER, having come on regularly for hearing before the undersigned Judge of the above-entitled Court on Defendants' Motion for Bifurcation at Trial of Liability and Damages from Injunctive Relief and having considered,

1. Defendants' Motion for Bifurcation at Trial of Liability and Damages from Injunctive Relief and
2. Declaration of Laurie L. Johnston in Support of Defendants' Motion for Bifurcation at Trial of Liability and Damages from Injunctive Relief and
- 3.
4. ; and
5. Files and pleadings herein.

IT IS HEREBY,

ORDERED, ADJUDGED AND DECREED that this case is bifurcated. The Court and jury will first hear testimony and evidence regarding issues of liability and monetary damages. If Plaintiffs obtain a successful verdict, the Court will later hear any additional testimony and evidence on the EEOC's request for injunctive relief and the EEOC's request for an order requiring defendant to institute and carry out policies, practices and programs which provide equal employment opportunities for all employees, and which eradicates the effects of its unlawful employment practices past and present.

DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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The Honorable Thomas S. Zilly

Presented by:

JACKSON LEWIS LLP

By: s/Laurie L. Johnston  
Barry Alan Johnsrud, WSBA #21952  
Laurie L. Johnston, WSBA #25927  
Attorneys for Defendants

ORDER GRANTING DEFENDANTS' MOTION  
FOR BIFURCATION AT TRIAL OF LIABILITY  
& DAMAGES FROM INJUNCTIVE RELIEF- 2  
(CV6-1359Z)

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1 Approved as to form;  
2 Notice of Presentation waived:

3 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

4 By: \_\_\_\_\_  
5 Carmen Flores, WSBA #25798  
6 Attorneys for Plaintiff EEOC

7 GEORGIA T. LOCHER, P.S.

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9 By: \_\_\_\_\_  
10 Georgia T. Locher, WSBA #21450  
11 Attorneys for Plaintiff in Intervention

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28 ORDER GRANTING DEFENDANTS' MOTION  
FOR BIFURCATION AT TRIAL OF LIABILITY  
& DAMAGES FROM INJUNCTIVE RELIEF- 3  
(CV6-1359Z)

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## DECLARATION OF SERVICE

The undersigned declares under penalty of perjury under the laws of the State of Washington that on this day, I electronically filed a true and accurate copy of the document to which this declaration is affixed with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

**Attorney for Plaintiff EEOC:**

Carmen Flores

Lisa Ann Cox

Equal Employment Opportunity Commission  
Seattle District Office  
909 First Avenue, Suite 400  
Seattle, WA 98104

Attorney for Plaintiff in Intervention, Laura Cigarroa:

Georgia T. Locher

Attorney at Law

237 S.W. 153<sup>rd</sup> Street

Burien, WA 98166

Dated this 14 day of November, 2007, at Seattle, Washington.

  
Andrea W. Preston

ORDER GRANTING DEFENDANTS' MOTION  
FOR BIFURCATION AT TRIAL OF LIABILITY  
& DAMAGES FROM INJUNCTIVE RELIEF- 4  
(CV6-1359Z)

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